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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 MCT-01 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
SS-15 ICA-11 TRSE-00 ACDA-12 COME-00 /084 W
----------038951 241511Z /64
R 240545Z APR 78
FM AMCONSUL STUTTGART
TO SECSTATE WASHDC 4283
AMEMBASSY BONN
INFO USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
AMEMBASSY PARIS

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E.O. 11652: N/A
TAGS: PINS, GW
SUBJECT: STUTTGART TERRORIST TRIALS

1. SUMMARY. RED BRIGADE TRIAL AND MORO KIDNAPPING HAVE SAPPED MEDIA INTEREST IN STUTTGART TERRORIST TRIALS, WHICH CONTINUE VERY SLOWLY ON THEIR WAY. ONLY SONNENBERG TRAIAL SEEMS TO BE PROCEEDING ON SCHEDULE; MOELLER TRIAL HAS BEEN SUSPENDED UNTIL MAY, AND CROISSANT TRIAL SEEMS FINALLY TO HAVE GOTTEN UNDER WAY IN EARNEST FOLLOWING INITIAL PROCEDURAL CONTROVERSY OVER SEARCHING OF DEFENSE LAWYERS. END SUMMARY.

2. TWO TERRORIST TRIALS AS WELL AS THE TERRORIST-RELATED TRIAL OF LAWYER KLAUS CROISSANT, ALL OF WHICH OPENED IN EARLY MARCH IN THE MAXIMUM SECURITY COURTROOM AT STUTTGART'S STAMMHEIM PRISON, CONTINUE SLOWLY -- VERY SLOWLY -- ON THEIR WAY. THE TRIAL OF RED
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BRIGADE LEADERS AT TURIN AND THE MORO KIDNAPPING HAVE OBVIOUSLY GREATLY OVERSHADOWED THE STAMMHEIM TRIALS, TO THE POINT WHERE COVERAGE

EVEN IN THE STUTTGART PRESS HAS BECOME FAIRLY LIGHT. THIS IS PROBABLY ALL TO THE GOOD TO THE EXTENT THAT ABSENCE OF PUBLICITY MIGHT DIMINISH INCENTIVE TO PLAY TO THE GRANDSTANDS AND THUS ENABLE THE TRIALS TO MOVE FORWARD AT A REASONABLE PACE, THOUGH THIS IS

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PERHAPS A LITTLE TOO MUCH TO HOPE IN THE CASE OF THE CROISSANT TRIAL; ABSENCE OF PUBLICITY MIGHT, OF COURSE, ALSO CARRY WITH IT THE RISK OF LULLING AT LEAST THE PUBLIC AT LARGE INTO GREATER COMPLACENCY OVER THE CONTINUED SERIOUSNESS OF THE THREAT FROM GERMAN TERRORISTS WHO ARE STILL LYING LOW.

3. THE ONLY TRIAL THAT APPEARS TO BE MOVING AHEAD ON SCHEDULE (AT LEAST ONE HEARS NOTHING TO THE CONTRARY) IS THAT OF GUENTHER SONNENBERG, CHARGED WITH ATTEMPTED MURDER AND ROBBERY. ANOTHER TERRORIST (VERENA BECKER) WAS SENTENCED TO LIFE IMPRISONMENT ON THE SAME CHARGES LAST DECEMBER.

4. STILL SUSPENDED IS THE TRIAL OF IRMGARD MOELLER, WHO HAD RECOVERED FROM HER SUICIDE ATTEMPT AT STAMMHEIM WHEN BAADER, ENSSLIN AND RASPE TOOK THEIR LIVES LAST OCTOBER. WITH BERNHARD BRAUN SHE IS CHARGED WITH THE HEIDELBERG BOMBING OF A USAREUR INSTALLATION AS WELL AS OTHER ATTACKS. (WHILE THE COURTROOM AT STAMMHEIM IS BEING USED FOR SECURITY REASONS, MOELLER IS ACTUALLY BEING TRIED THERE BEFORE A HEIDELBERG COURT.) IN LATE MARCH MOELLER'S ATTORNEY SIMPLY FAILED TO APPEAR, WITH THE RESULT THAT THE COURT DISMISSED THE DEFENSE AND PROCEEDINGS WERE INTERRRUPTED UNTIL NEW DEFENSE ATTORNEYS WERE IN PLACE. TRIAL PROCEEDINGS ARE NOW EXPECTED TO RESUME ONLY IN MAY.

5. THE MUCH-AWAITED TRIAL OF CROISSANT, WHICH OPENED ON MARCH 9, HAS BEEN CONTINUALLY BOGGED DOWN BY PROCEDURAL DELAYS THAT DID GET LIMITED OFFICIAL USE

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THEIR SHARE OF PUBLICITY, I.E., CONTROVERSY OVER WHETHER THE PUBLIC PROSECUTOR AND HIS STAFF AS WELL AS THE DEFENSE ATTORNEYS SHOULD BE SUBJECT TO BODY SEARCH. THE DEFENSE SOUGHT A RULING FROM THE GERMAN BAR ASSOCIATION (ANSWER -- SEARCH ALL OR NONE) AND THE COURT TURNED TO THE FEDERAL CONSTITUTIONAL COURT FOR ITS OPINION (ANSWER -- DEFENSE ATTORNEYS ONLY NEED BE SEARCHED). IT IS NOT QUITE CLEAR WHAT ACTION, FORCE OR REASON PREVAILED TO BRING ALL CONCERNED IN THE CROISSANT TRIAL FINALLY TO GET ON WITH IT THOUGH PERHAPS THE SILLINESS OF ONE OF THE DEFENSE LAWYERS IN THE SONNENBERG TRIAL WHO SAT THROUGH THE MARCH 30 PROCEEDINGS WITH HIS TROUSER FRONT UNZIPPERED WAS A CONTRIBUTING FACTOR.

6. THE CROISSANT TRIAL SEEMED TO GET AROUND TO BEGINNING IN EARNEST ON APRIL 10 WHEN THE LAND PUBLIC PROSECUTOR WAS FINALLY ABLE TO READ OUT THE INDICTMENT AGAINST CROISSANT. HOWEVER, IT WAS THE ORIGINAL INDICTMENT, RATHER THAN THE REVISED INDICTMENT FROM WHICH ARE DELETED THOSE CHARGES ON WHICH CROISSANT IS NO LONGER TO BE TRIED BY VIRTUE OF THE TERMS OF HIS EXTRADITION FROM FRANCE. (THE ONLY CHARGE LEFT PENDING AGAINST HIM IS THAT OF ORGANIZING AN INFORMATION NETWORK RELATING TO CRIMINAL ACTIVITIES). THE DEFENSE IMMEDIATELY MOVED FOR A MISTRIAL, WHICH THE COURT REJECTED.

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7. FEDERAL PROSECUTOR REBMANN TOLD US RECENTLY THAT THE CROISSANT TRIAL WAS CONSIDERED TO BE ONLY OF "SECONDARY" IMPORTANCE, WHICH WAS WHY IT HAD BEEN LEFT TO THE JURISDICTION OF THE LAND/ PROSECUTOR.

8. COMMENT: IT WOULD BE SURPRISING IF THE CROISSANT TRIAL, WITH ONE OF THE BAADER-MEINHOF LAWYERS IN THE DOCK, DID NOT CONTINUE TO BE DOGGED BY DELAYING TACTICS AND EVERY OTHER CONCEIVABLE STRATEGM WHICH THE DEFENSE RAISED TO THE LEVEL OF A FINE ART IN THE BAADER-MEINHOF TRIAL.MILLER

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